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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/854,222	05/10/2001	Srihari Kumar	P3966	1085
24739 7590 05/14/2007 CENTRAL COAST PATENT AGENCY, INC 3 HANGAR WAY SUITE D WATSONVILLE, CA 95076			EXAMINER FELTEN, DANIEL S	
			ART UNIT 3693	PAPER NUMBER
			MAIL DATE 05/14/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

Application No.

09/854,222

Applicant(s)

KUMAR ET AL.

Examiner

Daniel S. Felten

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 26 February 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-10 and 12-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10, 12-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. Receipt of the amendment filed February 26, 2007 amending claims 1, 10 and 18 and canceling claim 11 is acknowledged. Claims 1-10 & 12-25 are pending in the application and are presented to be examined upon their merits.

### ***Response to Arguments***

2. The applicant has amended the claims and applicant's arguments have been considered. New art has been applied to the claims, thus the examiner further rejects claims 1-10, 12-25 in further view of Remington (US 6,070,150)

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-10 & 12-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lawlor et al (US 5,220,501) in view of Remington (US 6,070,150)

inputting in a data field within the single interface a transfer amount (see column 20, line 59 to column 21, line 46; and column 34, line 46 to column 35 line 65)

selecting from a data menu within the single interface a data for the funds transfer to execute (see column 34, lines 46 to column 35, line 65)

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selecting from a data menu within the single interface a financial institution and associated account number of an account the transfer amount will be taken from (see column 34, lines 46 to column 35, line 65)

selecting from a data menu within a single interface a financial institution and associated account number of and account transfer amount will be deposited to (see column 34, lines 46 to column 35, lines 65)

submitting the transfer of funds order to be executed on the selected date (see column 34, lines 46 to column 35, line 65)

Lawlor discloses in figures 16A and 16B that the date routine 574 calculates periodic dates based upon user-inputted data and thus allows the user to schedule recurring payments (e.g. loan or mortgage payments, installment payments, etc.,) (see column 45, line 64 to column 46, line 50). It is maintained that it would be obvious for an artisan to recognize the fact that recurring payments provides a proxy feature to the user by allowing a transfer of funds from the user's account in the first financial institution ( the user's bank account) into the user's account in the second financial institution (the user's loan account) periodically without further input from the user. besides the initially provided information. Thus the user does not have to continuously make the transfer (payment) from one account into another.

Lawlor discloses the fact that the system is part of an ATM network node (see Abstract, column 17, lines 43+), but fails to disclose that the invention is within the Internet. Remington provides a system for transferring funds via bill payment that is provided over the Internet (see Remington, Abstract). It would have been obvious for an artisan of ordinary skill at the time of the invention to provide the latest networking technology to Lawlor to make remote various

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transactions. Thus one of ordinary skill in the art at the time of Lawlor would have sought to use the Internet as an alternative network that is widely recognized used across to provide information as well as make various transaction. Thus such a modification would increase the number of users to Lawlor's system and therefore have been an obvious expedient well within the ordinary skill in the art.

### *Conclusion*

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel S. Felten whose telephone number is (571) 272-6742. The examiner can normally be reached on Flex.

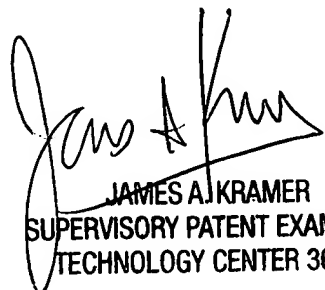
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Kramer can be reached on (571) 272-6783. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Daniel S Felten  
Examiner  
Art Unit 3693

DSF  
05/09/2007

  
JAMES A. KRAMER  
SUPERVISORY PATENT EXAMINER  
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5/10/07